

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOGAN MICHAEL BURKE,

Defendant.

CR-19-66-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 9, 2020. (Doc. 80.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 17, 2020. (Doc. 79.) The United States accused Burke of violating his conditions of supervised release 1) by destroying private property; and 2) by having telephone contact with the victim in this case. (Doc. 78.)

At the revocation hearing, Burke admitted that he had violated the conditions of his supervised release 1) by destroying private property; and 2) by having telephone contact with the victim in this case. (Doc. 79.) Judge Johnston found that the violations Burke admitted proved to be serious and warranted revocation, and recommended that Burke receive a custodial sentence until December 17, 2020 with no supervised release to follow. Burke was advised of the 14 day objection period and his right to allocute before the undersigned. Burke waived those rights. (Doc. 79.)

The violations prove serious and warrant revocation of Burke's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 80) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Logan Michael Burke be sentenced to a period of custody until December 17, 2020 with no supervised release to follow.

DATED this 19th day of November, 2020.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court